



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Joel MENDOZA-Diego,

Defendant.

) Mag. Case No.

'08 MJ 8042

) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326

) Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about January 20, 2008, within the Southern District of California, defendant Joel MENDOZA-Diego, an alien, who previously had been excluded, deported, and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

MARCO A. MIRANDA  
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 22nd DAY OF  
JANUARY 2008.

PETER C. LEWIS  
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Joel MENDOZA-Diego

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the  
6 apprehending Border Patrol Agent, T. Keller, that the Defendant was found and arrested on  
7 January 20, 2008 west of Calexico, California.

8 BPA Keller was performing his assigned Border Patrol duties approximately 16 miles  
9 west of Calexico, California. BPA Keller was advised by the Remote Video Surveillance  
10 Systems that eight individuals had made an illegal entry. Agent Keller responded to the area and  
11 apprehended four illegal aliens and apprehended the four other illegal aliens after following their  
12 foot sign. One of the apprehended illegal aliens was identified as Joel MENDOZA-Diego. BPA  
13 Keller identified himself as a Border Patrol Agent and questioned MENDOZA and the other  
14 individuals as to their immigration status to be in the United States. They all stated that they are  
15 citizens of Mexico and illegally in the United States. MENDOZA and the other individuals were  
16 placed under arrest.

17 Record checks revealed that an Immigration Judge ordered MENDOZA deported to  
18 Mexico from the United States on January 18, 2005. Record checks also revealed that  
19 MENDOZA is currently on Supervised Released.

20 There is no evidence MENDOZA has sought or received permission from the Attorney  
21 General or the Secretary of the Department of Homeland Security to re-enter the United States.  
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